



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,790	05/29/2001	David Boreham	P5829	7720

32615 7590 11/04/2004

OSHA & MAY L.L.P./SUN
1221 MCKINNEY, SUITE 2800
HOUSTON, TX 77010

EXAMINER

LE, UYEN T

ART UNIT	PAPER NUMBER
----------	--------------

2163

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/867,790

Applicant(s)

BOREHAM ET AL.

Examiner

Uyen T. Le

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment to claim 24 is acknowledged. Consequently, rejection to claims 24-26 under 35 U.S.C. 112, second paragraph is withdrawn.

2. The declaration filed on 13 August 2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the iPlanet reference.

The evidence submitted by applicants merely consists of a single sheet with everything blacked out except a date, a title and the names of the applicants. Conception is the mental part of the inventive act but it must be capable of proof, as by drawings, complete disclosure to another person, etc. In *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897), it was established that conception is more than a mere vague idea of how to solve a problem; the means themselves and their interaction must be comprehended also. MPEP 715.07.

With regard to diligence, where conception occurs prior to the date of the reference but reduction to practice is afterward, it is not enough merely to allege that applicant has been diligent. *Ex parte Hunter*, 1889 C.D. 218, 49 O.G. 733 (Comm'r Pat. 1889). Rather, applicant must show evidence of facts establishing diligence

For all the reasons discussed above, applicant's declaration of "the present invention was conceived prior to the effective 102 (a) date of iPlanet and subsequently constructively reduced to practice with due diligence exercised by the inventors" is not

considered satisfactory evidence. Consequently, rejection to claims 24-46 is maintained using iPlanet of record.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 24-46 are rejected under 35 U.S.C. 102(a) as being anticipated by Sun Microsystems, Inc. “iPlanet Directory Server Administrator’s Guide”, Version 5.0, April 2001, Chapters 2, 5, pages 39-69 and 153-182.

Regarding claim 24, Sun discloses all the claimed subject matter (see Chapters 2, 5). The claimed directory server is met by the LDAP server. The claimed hierarchical data stored comprising an organization level and a managed role level and attribute templates defined with respect to services and levels are shown at pages 39-41. The claimed service attributes are met by the nsRoleDN (see page 163). The claimed “an application...target entries” is met by the fact that upon selection of the base DN, roles appear for activation (see page 162). The claimed “wherein said directory server...predefined service attribute” merely reads on the fact that users can query LDAP servers.

Regarding claims 25, 26, Sun discloses service attributes associated with a role (see pages 163-166).

Regarding claims 27, 28, Sun discloses templates defined with respect to services and roles (see pages 39-42, 167-168).

Regarding claim 29, Sun discloses said predefined attribute is nsRoleDN (see page 163).

Regarding claim 30, Sun discloses "wherein said directory...belongs to said managed role" (see pages 169, 170).

Regarding claim 31, Sun discloses accessing a first role and second role and creating a third role (see pages 181, 182).

Regarding claims 32-34, Sun discloses creating a nested role, encapsulating first identifiable attribute and second identifiable attribute into a third distinguished name of nsRoleDn (see pages 163-166).

Regarding claims 35-38, Sun discloses dynamic role, enumerated role, filtered role, nested role (see pages 155-157, 163-166).

Claims 39-46 essentially recite a computer program product for the method of claims 31-38, thus are rejected for the same reasons stated in claims 31-38 above.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen T. Le whose telephone number is 571-272-4021. The examiner can normally be reached on M-F 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

1 November 2004



UYEN LE
PRIMARY EXAMINER